

ASSEMBLY BILL

No. 1373

Introduced by Assembly Member Skinner

February 27, 2009

An act to add Chapter 11.1 (commencing with Section 25970) to Division 15 of the Public Resources Code, relating to global warming.

LEGISLATIVE COUNSEL'S DIGEST

AB 1373, as introduced, Skinner. Global warming potential (GWP): refrigerants.

Existing law requires the State Energy Resources Conservation and Development Commission to adopt a regulation prescribing standards for minimum levels of operating efficiency to promote the use of energy and water efficient appliances.

This bill would enact the California Refrigeration and Air-Conditioning Improvement Act of 2009 and would require the commission by December 1, 2011, to develop a plan containing specified elements to phase out the Use of high-global warming potential (GWP) compounds, as defined, in the commercial refrigeration and air-conditioning industry by January 1, 2020.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

1 (a) Global warming caused by emissions of greenhouse gases
2 continues to pose a serious threat to the economic well-being,
3 public health, natural resources, and environment of California.

4 (b) Due to their nature, gases that possess a high global warming
5 potential (GWP) value represent a significant source of emissions
6 even when released in small volumes.

7 (c) While high-GWP gases are used in a variety of applications,
8 commercial refrigeration and air-conditioning systems represent
9 the single largest source of high-GWP gas emissions in California,
10 an amount roughly equivalent to 30 million metric tons of carbon
11 dioxide equivalents.

12 (d) Although alternative technologies with significantly lower
13 GWP value gases do exist and are being used for commercial
14 refrigeration and air-conditioning purposes outside the United
15 States, widespread use has not occurred either in California or
16 nationally.

17 (e) Foreign governments have begun to require the phase out
18 of the use of high-GWP gases in commercial refrigeration and
19 air-conditioning units.

20 (f) Even though phasing out high-GWP compounds from
21 commercial refrigeration and air-conditioning units in California
22 could provide significant emissions reductions and energy
23 efficiency benefits, detailed consideration of potential regulatory
24 approaches, technology applicability, expected economic impact
25 and possible incentive programs is valuable to plan a successful
26 transition away from the use of high-GWP compounds.

27 (g) While it is within the existing authority of the State Energy
28 Resources Conservation and Development Commission to set
29 appliance standards for energy use, legislative direction to create
30 a plan to phase out high-GWP gases from California refrigeration
31 and air-conditioning units would assist the state's transition to
32 long-term greenhouse gas emissions reductions.

33 SEC. 2. Chapter 11.1 (commencing with Section 25970) is
34 added to Division 15 of the Public Resources Code, to read:

35
36 CHAPTER 11.1. REFRIGERATION AND AIR-CONDITIONING
37

38 25970. This chapter shall be known and may be cited as the
39 California Refrigeration and Air-Conditioning Improvement Act
40 of 2009.

1 25970.5. (a) On or before December 1, 2011, the commission
2 shall develop a plan to phase out the use of high-GWP compounds
3 in the commercial refrigeration and air-conditioning industry by
4 January 1, 2020. The plan shall include, but is not limited to, all
5 of the following:

6 (1) Identification of barriers to phasing out the use of high-GWP
7 compounds within California commercial refrigeration and
8 air-conditioning units, including, but not limited to, potential
9 economic impacts on California's economy, existing incentive
10 programs, existing laws and regulations, and technology
11 availability.

12 (2) New incentive programs to promote the market adoption of
13 alternatives to the high-GWP compounds used in California
14 commercial refrigeration and air-conditioning units.

15 (3) Comparisons of potential approaches to accelerate the
16 adoption of alternative commercial refrigeration and
17 air-conditioning technology in California.

18 (b) For the purposes of this section, "high-GWP" means a global
19 warming potential that is greater than 150 carbon dioxide
20 equivalent.